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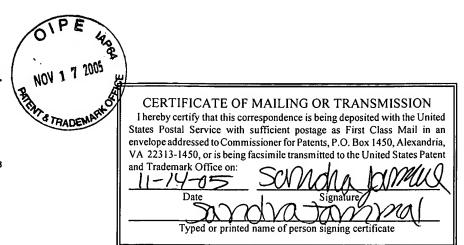
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November 14, 2005

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re: Applicants:

Paul F. Herbert and Michael S. Healy

Application No.:

10/784,474

Filed:

February 23, 2004

Confirmation No.:

1733

Title:

PRODUCTION SCALE METHOD OF

FORMING MICROPARTICLES

Docket No.: <u>1733.1009-041</u>

Sir:

Please find enclosed a Terminal Disclaimer, together with the requisite Statement under 37 C.F.R. §3.73(b), for filing in the above-referenced application.

The statutory fee in the amount of \$130.00 for filing the disclaimer is attached. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

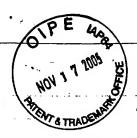
Respectfully submitted,

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By Sessen M. Chellen.
Susan M. Abelleira

Registration No. 42,252

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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

In re Application of: Paul F. Herbert and Michael S. Healy

Application No.: 10/784,474

Filed: February 23, 2004

Confirmation No.: 1733

For: PRODUCTION SCALE METHOD OF FORMING MICROPARTICLES

The owner, Alkermes Controlled Therapeutics, Inc. of one hundred percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,455,074 B1. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The terminal disclaimer fee under 37 CFR 1.20(d) is enclosed.

The undersigned is empowered to act on behalf of the owner.

4 Nov 2005

Date

Claire M. Vasios

Typed or printed name

Alkermes Controlled Therapeutics, Inc.
Name of Corporation

11/18/2005 CCHAU1

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Docket No. 1733.1009-041

Ap	plication :	No./Patent No.: 10/784,474	Filed/Issue Datc: February 23, 2004
For	PRO	DUCTION SCALE METHOD OF FOR	MING MICROPARTICIES
	-		MERCI ARTICES
	Alk	ermes Controlled Therapoutics, Inc.	
		(Name of Assignee)	(Typs of Assignoe, e.g., corporation, partnership, university, government agency, etc.)
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	•		
A.	[X]	the assignee of the entire right, title	and interest in the patent application identified above; or
В.	[]		
	r 1	above.] of the entire right, title and interest in the patent application identified
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The	right, title	and interest of the above-named assign	nee in the patent application identified above is established by virtue of:
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ame:	Claire M	M. Vasios	
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